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VALLEY FARM TRANSPORT, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DONALD MORTON, et al.,

Plaintiffs,

v.

VALLEY FARM TRANSPORT, INC.,

Defendants.

Case No. C 06-02933 SI MED

**STIPULATION AND [PROPOSED]
ORDER RE CLASS ACTION OPT
IN/OUT DATE**

Stipulation; Order

Case No.C 06-02933 SI (ADR)

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SUBJECT TO APPROVAL OF THIS COURT, the parties respectfully request that the Court order that the last date for class members to opt in to the federal law collective action in this matter be set for October 12, 2007, and that the last date for class members to opt out of the state law class action be also set for October 12, 2007. The parties contend there is good cause for this request as follows.

On or about April 13, 2007, the Court granted Plaintiffs' Motion for Class Certification. Pursuant to that Order, Plaintiffs are to mail out the Court approved opt-in and opt-out forms to the Class members. Since the due date for Class members to return the form to Class counsel was left blank, the parties met and conferred and agreed to a ninety-day return date. Accordingly, the parties have agreed that Class members have until October 12, 2007 to return the opt-in and/or opt-out forms.

Date: _____ Respectfully submitted,
BEESON, TAYER & BODINE, APC


By: /s/ Jason Rabinowitz
JASON RABINOWITZ
Attorneys for Plaintiffs

Date: _____ Respectfully submitted,
RIEGELS CAMPOS & KENYON, LLP

By: /s/ Jeffery Owensby
JEFFERY OWENSBY
Attorneys for Defendant

IT IS SO ORDERED.

Date: _____


SUSAN ILLSTON
United States District Court Judge